



sector #5

REISSUE APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Habing et al.
Serial No: 08/967,473
Filed: 11/11/97
Title: ARTICULATED LOWER BODY EXERCISER

Certificate of Mailing

I hereby certify that this RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION and the items identified herein are being deposited with the United States Postal Service as First Class mail, postage prepaid, addressed to the Assistant Commissioner for Patents, Attn: Box Missing Parts, Washington, D.C. 20231, on this 20th day of May, 1998.

MAKEL
Mark A. Krull

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Assistant Commissioner for Patents
Attn: Box Missing Parts
Washington, D.C. 20231

Dear Sir:

In response to the Notice to File Missing Parts of Application dated December 26, 1997, enclosed herewith are the following items:

- 04 01/1998 GDUCKETT 00000004 08967473 1. PTO copy of NOTICE TO FILE MISSING PARTS OF APPLICATION;
05 FC:217 2. Copies of assignment papers evidencing that Stearns Technologies, Inc. is the owner of the subject patent
Adjustment date: 06/24/1998 DFLOYD
06/01/1998 GDUCKETT 00000012 500549 08967473 on (the original papers are presently being sent
05 FC:217 -465.00 OP
under separate cover for recordation purposes);

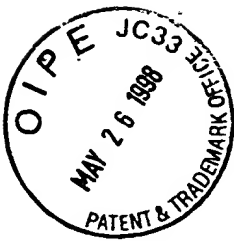
3. Executed DECLARATION OF SMALL ENTITY STATUS;
06/24/1998 DFLOYD 00000012 500549 08967473
01 FC:217 10.00 CH 465.00 OP

4. Check in the amount of \$792.00 in payment of the filing fee;
- ✓ 5. Check in the amount of \$65.00 in payment of the missing parts surcharge;
6. Check in the amount of \$465.00 in payment of the fee for a three month extension of time (please consider this a request for a three month extension of time); and
- 7. Executed REISSUE DECLARATION.

Respectfully submitted,

MAKll
Mark A. Krull
Reg. No. 34,205

1705 East Ridge Court
Northfield, MN 55057
(507) 645-1605



**TERMINATION, RELEASE AND REASSIGNMENT
OF SECURITY INTEREST
IN CERTAIN PATENTS**

TERMINATION, RELEASE AND REASSIGNMENT OF SECURITY INTEREST IN CERTAIN PATENTS, dated as of November 1, 1997, by **BANKBOSTON, N.A.** (f/k/a The First National Bank of Boston) as administrative agent (the "Administrative Agent").

WHEREAS, pursuant to the terms of a Patent Collateral Assignment and Security Agreement, (as amended and supplemented from time to time, the "Patent Agreement") among NordicTrack, Inc. (the "Company"), certain other companies and the Administrative Agent, the Company granted to the Administrative Agent, for the benefit of certain lenders, a security interest in and lien on, and collaterally assigned to the Administrative Agent, all of its patents and patent applications, including, without limitation, U.S. Pat. No. 5,299,993 and U.S. Pat. No. 5,499,956 (U.S. Pat. Nos. 5,299,993 and 5,499,956 are referred to herein as the "Named Patents"); and

WHEREAS, the Patent Agreement was recorded with the United States Patent and Trademark Office on or about April 26, 1996 at Reel 7919, Frame 0370; and

WHEREAS, the Administrative Agent has agreed to terminate and release its security interest and all of its right, title and interest in each of the Named Patents as herein provided;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Administrative Agent and the Company hereby agree as follows:

1. **Release and Assignment.** The Administrative Agent hereby terminates and releases its security interest in and lien on each of the Named Patents, and the Administrative Agent hereby assigns and transfers to the Company, without recourse, all of its right, title and interest in and to each of the Named Patents, effective as of the date set forth above.

2. **Acknowledgment and Acceptance.** The Company hereby acknowledges and accepts the foregoing release and assignment by the Administrative Agent.

3. **Counterparts.** This Release may be executed in any number of counterparts which shall together constitute one and the same agreement.

[signature page follows]

IN WITNESS WHEREOF, the Administrative Agent and the Company have executed this Release, to take effect as of the date first set forth above.

**BANKBOSTON, N.A., (f/k/a The First
National Bank of Boston),
as Administrative Agent**

By: Mark Joseph Lort
Title: Vice President

Accepted:

NORDICTRACK, INC.

By: [Signature]
Title: Vice President



#4

REISSUE APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Habing et al.

Serial No.: 08/967,473

Our Ref.: 201-P-8-US-RE

Filed: 11/11/97

Title: ARTICULATED LOWER BODY EXERCISER

Please charge any additional fees or credit overpayment to Deposit Account No. 500549.
A duplicate of this sheet is enclosed.

Respectfully submitted,

HABING ET AL.

Date: 5/20/98By: MAKEL

Mark A. Krull
Reg. No. 34,205
1705 East Ridge Court
Northfield, MN 55057
Telephone (507) 645-1605



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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08/967,473 11/11/97 HABING

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0242/1226

MARK A KRULL
1705 EAST RIDGE COURT
NORTHFIELD MN 55057

NOT ASSIGNED

DATE MAILED: 3302

NOTICE TO FILE MISSING PARTS OF APPLICATION

12/26/97

Filing Date Granted -

An Application Number and Filing Date have been assigned to this application. However, the items indicated below are missing. The required items and fees identified below must be timely submitted **ALONG WITH THE PAYMENT OF A SURCHARGE** for items 1 and 3-6 only of \$ 180 for a ☐ large entity ☐ small entity in compliance with 37 CFR 1.27. The surcharge is set forth in 37 CFR 1.16(e). Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay any fees required above to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☒ large entity ☐ small entity (verified statement filed), is \$ 1114.

☒ 1. The statutory basic filing fee is:

- ☐ missing.
- ☐ insufficient.

Applicant must submit \$ 790 to complete the basic filing fee and/or file a verified small entity statement claiming such status (37 CFR 1.27).

☒ 2. Additional claim fees of \$ 194, including any multiple dependent claim fees, are required. Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☐ 3. The oath or declaration:

- ☐ is missing.

06/01/1998 ~~DUCKETT~~ does not cover the newly submitted items:

- ☐ does not identify the application to which it applies.

01 FC:201 ☐ does not include the state or foreign country of applicant's residence:

02 FC:202 An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are:

- ☐ missing.

Adjustment date: 06/24/1998 DFLLOYD

06/01/1998 ~~DUCKETT~~ inventor or person qualified under 37 CFR 1.42, 1.43, or 1.47.

01 FC:201 A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above

02 FC:202 Application Number and Filing Date, is required.

03 FC:203 The signature of the following joint inventor(s) is missing from the oath or declaration:

06/24/1998 ~~DUCKETT~~ oath or declaration listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

01 FC:208 A \$ 395.00 fee is required since your check was returned without payment (37 CFR 1.21(m)).

02 FC:209 287.00

03 FC:210 Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application does not comply with the Sequence Rules.

See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."

☒ 9. OTHER: The owner on the Assignee's declaration shows different on Direct the response and any questions about this notice to "Attention: Box Missing Parts." (First National Bank of Boston)

A copy of this notice MUST be returned with the response.

Customer Service Center
Initial Patent Examination Division (703) 308-1202